

REMARKS

Status of the Claims

Claims 1-6 are pending. Claims 1 and 2 are subject to examination and claims 3-6 have been withdrawn from consideration. No amendments have been made by way of the present submission, thus, no new matter has been added.

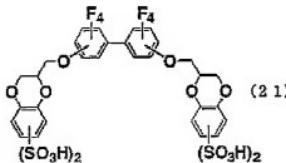
In view of the following remarks, the Examiner is respectfully requested to withdraw all rejections and allow the currently pending claims.

Issue Under 35 U.S.C. § 112, second Paragraph

Claims 1-2 stand rejected under 35 U.S.C. § 112, second Paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regard as the invention. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language lacks antecedent basis or is not clearly understood. In particular, the Examiner asserts that claims 1 and 2 of the elected species do not recite the limitation a single bond “-“ in the definition of “w<sup>1</sup>” in formula (5). Thus, the Examiner asserts that there is insufficient antecedent basis for this limitation in the claim. Applicants respectfully disagree with the Examiner.

For instance, the perfluorobiphenyl group in compound (21) shown below corresponds to the definition of “substituted hydrocarbon groups” in A<sup>1</sup> and not to the “substituted or unsubstituted group represented by formula (5).” Applicants thus do not believe that “a single bond” is necessary in the definition of “w<sup>1</sup>” in formula (5).



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Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

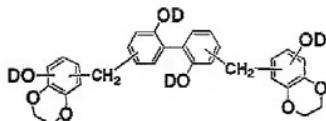
Issue under 35 U.S.C. § 103(a)

Claims 1-2 stand rejected under 35 U.S.C. § 103(a) as being obvious over Blakeney et al., U.S. 5,602,260 (hereinafter referred to as Blakeney '260). This rejection is respectfully traversed.

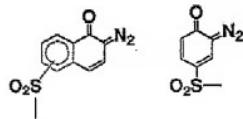
A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

The Examiner asserts that Blakeney '260 teach 1,4-benzodioxanesulfonic compounds corresponding to recited formula (1). Applicants disagree and point out that the compound described in Blakeney '260 is quite different from the inventive compound.

For example, in case of A=B=O, v=w=0, x=y=0, and R<sup>1</sup>, R<sup>2</sup> and R<sup>5</sup>-R<sup>12</sup>=hydrogen, the compound of formula (IIB) is shown by the following structure:



In this formula, D is represented by one of the following structures.



However, in compound (21) (shown above), the SO<sub>3</sub>H groups directly bond to the benzene ring in 1,4-benzodioxane moieties in the inventive compound. In contrast, the OD groups of Blakeney '260 directly bond to the benzene ring in 1,4-benzodioxane moieties in the compound of Blakeney '260. In other words, SO<sub>3</sub>H groups of the present invention directly bonded to such benzene rings do not exist therein.

In addition, 1,4-benzodioxane moieties are linked together by the biphenyl spacer at the position of the dioxane ring in the inventive compound. On the other hand, they are linked

together by the biphenyl spacer at the position of the benzene ring in the compound of Blakeney '260.

Therefore the linkage forms of the two compounds are the opposite each other. It is therefore evident that the inventive compound is quite different from the compound of Blakeney '260. Therefore those skilled in the art cannot foresee the inventive 1,4-benzodioxanesulfonic acid compound from the disclosure of Blakeney '260.

The Examiner is thus requested to withdraw this rejection and expand examination to non-elected species with the intent of finding the generic products of formula (1) allowable.

### **Conclusion**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Craig A. McRobbie, Registration No. 42874 at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated: JAN 06 2010

Respectfully submitted,

By

  
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